

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED *RK*
JUL 27 2005

EUGENE THOMAS,
Plaintiff,

v.

STATE OF VIRGINIA,
Defendant.

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Civil Action No. 7:05cv00429

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

JOHN F. CORCORAN, CLERK
BY: *John F. Corcoran*
DEPUTY CLERK

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED** and **ORDERED** that plaintiff's motion to proceed in forma pauperis shall be and hereby is **GRANTED**; that plaintiff's civil rights action, pursuant to 42 U.S.C. § 1983, shall be and hereby is **DISMISSED**, pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim; and that this action is hereby stricken from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This _____ day of July, 2005.

Jackson L. Kiser
United States District Judge